

Subject: Griffith Contract Synopsis

From: Fred Sutton <fred.sutton@lacity.org>

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To: Donald Duckworth <duckworth.donald@gmail.com>, jruhlen916 <jruhlen916@aol.com>, Miki Payne <miki@hbdrollinger.com>

Hello All,

I know at the BID meeting some were asking for a brief synopsis of the Contract Administration recommendation and had some questions. I hope the below answers some of those and I have attached the actual letter as well as information from my talks with Con Ad. Please let me know if there is discrepancy between my boiled down synopsis from Con Ad. The below is where it stands in their eyes. I will continue to advocate and relay your positions to the councilman and Maxime Waters' office (Hamilton Cloud).

Reasons Con Ad is recommending a denial to Griffith:

Since this project is federally funded it must meet the federal Disadvantage Business Enterprise (DBE) goals. Contract Administration follows these DBE guidelines rather strictly because funds are fronted by the city and then reimbursed through the federal government. In the past, the city has had their federal funding pulled because these requirements had not been met. Contract Administration's goal is to protect the usage of the funds.

A BID can be rejected if it does not meet one review indicator. Griffith did not meet three of these indicators. The goal for this project was DBE participation for 21.5%. This goal is based on U.S. Department of Transportation formula. Griffith had 0.00% DBE participation.

Failed Indicator C: Available work for DBEs. Griffith subcontracted out 7.97% of the work. Although none were ultimately granted to DBEs, it is the view of contract administration that a greater effort could have been made to make more work available for DBE subcontractors.

Failed Indicator D: Rejected DBEs Documentation. Griffith received quotes from three DBEs in three separate work areas. In two instances the rejection of the DBE was found acceptable but in the third instance contract administration determined a good faith effort was not ensued to include participation.

Failed Indicator H: Data to support a good faith effort: Two other contractors met the DBE goals with 33.56% & 34.99% while Griffith pledged 0.00%. This lead Contract Administration to determine that a good faith effort was not engaged by Griffith as these goals were not only met by other contractors but exceeded.

Once Griffith had submitted their bid there is not an opportunity for Griffith to adjust and rebid as it would be considered an unfair bid process..

The above is what has lead Contract Administration to recommend that the contract not be awarded to Griffith. It is also my understanding that the second lowest bidder (DB international) is intending to protest the possibility of the contract being awarded to lowest bidder (Griffith).

Kind regards,

 Logo5-web. **Frederick Sutton**
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—Attachments:—

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1.8 MB